

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 

Filed by: Fred E. McKelvey
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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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BOARD OF PATENT APPEALS
AND INTERFERENCES

W. FRENCH ANDERSON, R. MICHAEL BLAESE
and STEVEN A. ROSENBERG,

Junior Party,
(Patent 5,399,346),

v.

DEBORAH A. EPPSTEIN, PHILIP L. FELGNER, THOMAS R. GADEK,
GORDON H. JONES and RICHARD B. ROMAN,

Senior Party
(Application 08/609,702),

Patent Interference 104,711 (McK)

Before: McKELVEY, Senior Administrative Patent Judge, and
GARDNER-LANE and MEDLEY, Administrative Patent Judges.

McKELVEY, Senior Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Upon consideration of the REQUEST FOR ENTRY OF ADVERSE
JUDGMENT (Paper 38), it is

ORDERED that judgment on priority as to Count 1, the
sole count in the interference, is awarded against senior party
DEBORAH A. EPPSTEIN, PHILIP L. FELGNER, THOMAS R. GADEK,
GORDON H. JONES and RICHARD B. ROMAN.

FURTHER ORDERED that senior party DEBORAH A. EPPSTEIN, PHILIP L. FELGNER, THOMAS R. GADEK, GORDON H. JONES and RICHARD B. ROMAN is not entitled to a patent containing claims 71-72, 75, 78 (corresponding to Count 1) of application 08/609,702, filed 1 March 1996.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 08/609,702 and U.S. Patent. 5,399,346.

<i>mck</i>)	
FRED E. McKELVEY, Senior)	
Administrative Patent Judge)	
<i>Sally Gardner-Lane</i>)	
SALLY GARDNER-LANE)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
<i>Sally C. Medley</i>)	INTERFERENCES
SALLY C. MEDLEY)	
Administrative Patent Judge)	

104,711
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